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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

ZELMAN A-1,

Cross-Complainant and Appellant,

v.

BURBANK-GLENDALE-PASADENA  
AIRPORT AUTHORITY,

Cross-defendant and Respondent.

B164893

(Los Angeles County  
Super. Ct. No. BC283440)

ORDER MODIFYING OPINION  
AND DENYING REHEARING  
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on November 20, 2003, be modified as follows:

1. On pages 4 and 5, delete the third and fourth sentences of the first paragraph of part I.C. and replace them with the following sentences:

Authority later asserted that Zelman's lot would greatly increase pedestrian traffic, posing safety risks to pedestrians crossing multiple lanes of vehicular traffic. Authority also later asserted the lot posed operational risks to Authority's valet parking operation currently located near the northwest corner of the A-1 property.

2. On page 9, delete the third sentence of the third full paragraph and replace it with the following sentence:

A photograph and an accompanying affidavit by the photographer showed that on April 9, 1949, the access roads at Empire Avenue were barricaded and closed to use by the general public.

There is no change in the judgment.

The petition for rehearing is denied.

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SPENCER, P. J.

ORTEGA, J.

MALLANO, J.